

CITY OF HORSESHOE BAY

ORDINANCE NO. ORD 06-02-21A

ANNEXATION OF A CERTAIN PORTION OF RR 2831

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF A CERTAIN PORTION OF RANCH ROAD 2831, HEREINAFTER MORE SPECIFICALLY DESCRIBED, TO THE CITY OF HORSESHOE BAY, TEXAS FOR ALL MUNICIPAL PURPOSES; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE INHABITANTS THEREOF, IF ANY, SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Horseshoe Bay, Texas is a Type A general-law municipality as defined by the Texas Local Government Code that is located in Llano and Burnet Counties, Texas; and

WHEREAS, the City of Horseshoe Bay has a population in excess of 500 persons; and

WHEREAS, Chapter 43 of the Texas Local Government Code, V.T.C.A., authorizes General Law municipalities to annex territory in accordance with certain procedures provided for therein; and

WHEREAS, Section 43.103 of the Texas Local Government Code authorizes the governing body of a general-law municipality with a population in excess of 500 to annex, without the consent of any person, a part of a street, highway or other public way that is adjacent to and runs parallel to the municipality; and

WHEREAS, a portion of Ranch Road 2831 located in Llano County, Texas described herein in Exhibits "A" and "B" is adjacent to and runs parallel to the City of Horseshoe Bay; and

WHEREAS, a service plan for extension of municipal services to be extended to the area to be annexed was prepared, notice of the appropriate public hearings was published in a newspaper having general circulation in the City of Horseshoe Bay, Texas and the public hearings were conducted and held in accordance with applicable law; and

WHEREAS, all notices, publication and hearings have been duly given or held as required by law, and not more than twenty (20) adult residents of the area to be annexed filed a written protest to such annexation with the City Secretary of the City of Horseshoe Bay, Texas; and

WHEREAS, institution of annexation proceedings and the presentation and introduction of this ordinance in such form as it may be finally passed occurred within the periods of time as prescribed by law;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:

I. ANNEXATION

The hereinafter described portion of Ranch Road 2831 within Llano County, Texas, which is adjacent to and which runs parallel to the present corporate limits of the City of Horseshoe Bay, Texas, is hereby annexed to the City of Horseshoe Bay, Texas for all municipal purposes and the corporate lines and limits of the City of Horseshoe Bay, Texas are hereby extended to embrace the said tract of land, which is more particularly described and attached hereto as Exhibit "A" and depicted in the attached Exhibit "B" incorporated herein for all purposes.

II. RIGHTS AND PRIVILEGES

That the inhabitants, if any, of the property hereby annexed to the City of Horseshoe Bay, Texas shall be entitled to all the rights and privileges of said citizens of the City of Horseshoe Bay, Texas, and shall be bound by the acts, ordinances, codes, resolutions and regulations of the City of Horseshoe Bay, Texas.

III. OFFICIAL MAP AND BOUNDARIES AMENDED

That the official map and boundaries of the City of Horseshoe Bay, Texas, are hereby amended so as to include the aforementioned territory as part of the City of Horseshoe Bay, Texas.

IV. CORRECTION OFFICIAL MAP

That the City Secretary is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City of Horseshoe Bay, Texas to add the territory hereby annexed as required by law.

V. EFFECTIVE DATE

That this Ordinance shall become effective after its passage.

That the City Secretary is hereby directed and authorized to file a certified copy of this Ordinance in the Office of the County Clerk of Llano County, and to perform all other acts necessary to notify the appropriate entities of the City's annexation of territory by this Ordinance.

If any section, subsection, sentence, phrase, word, paragraph or provision of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said property is incapable of being annexed by the City of Horseshoe Bay, Texas, for any reason whatsoever, the adjudication shall not affect any other section, subsection, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, subsection, sentence, phrase, word, paragraph or provision of any other Ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and as to this end the provisions of this Ordinance are declared to be severable.

That the meeting at which this Ordinance was enacted was open to the public as required by the Texas Open Meetings Act, and that notice of the time, place, and subject matter of the meeting was given as required by the Texas Open Meetings Act.

CITY OF HORSESHOE BAY, TEXAS

Robert W. Lambert, Mayor

Toni Vanderburg, City Secretary